



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 1603

2 AMENDMENT NO. _____. Amend Senate Bill 1603 on page 1, by
3 replacing line 5 with the following:

4 "Sections 16-111.7, 16-111.9, 19-140 and 19-150 as follows:";
5 and

6 on page 4, immediately below line 19, by inserting the
7 following:

8 "(220 ILCS 5/19-140 new)

9 Sec. 19-140. Financial assistance; payment plans; gas
10 utilities.

11 (a) Notwithstanding any other provision of this Act, a gas
12 utility may offer programs that are approved by the Commission
13 specifically designed to provide bill payment assistance to
14 low-income customers. The programs may be designed in a number
15 of ways, including, but not limited to, flat grants,
16 forgiveness of past due amounts in exchange for regular

1 payments, percentage of income payments, energy efficiency and
2 demand-response measures, and education. After receiving a
3 request from a gas utility for the approval of a proposed
4 program pursuant to this Section, the Commission shall render
5 its decision within 120 days. If no decision is rendered within
6 120 days, then the request shall be deemed to be approved.

7 (b) If a gas utility elects to offer programs under this
8 Section, the utility must first offer a Percentage of Income
9 Payment Plan (PIP Plan) that has been approved by the
10 Commission and that contains the following components:

11 (1) The gas utility shall coordinate with the
12 Department of Healthcare and Family Services (Department)
13 to identify eligible participants, which shall be based on
14 the same criteria established by the Department to
15 determine eligibility for the Illinois Low Income Home
16 Energy Assistance Program (LIHEAP) pursuant to the Energy
17 Assistance Act.

18 (2) The gas utility, in conjunction with the
19 Department, shall establish the percentage of income
20 formula that will be applied to PIP Plan participants' gas
21 utility bills to determine the portion of the bill that is
22 the responsibility of the participant.

23 (3) The Department shall remit to the gas utility that
24 portion of the PIP Plan participant's bill that is not the
25 responsibility of the participant; in the event that the
26 Department fails to remit payment to the gas utility as

1 required by this Section, the utility shall be entitled to
2 recover all costs related to nonpayment through the
3 automatic adjustment clause tariff established pursuant to
4 Section 19-150 of this Act, and the limitations of
5 subsection (c) of this Section shall not apply.

6 (4) For each month that a PIP Plan participant pays its
7 gas utility bill on time, the gas utility shall apply a
8 credit to a portion of the participant's arrearage, if any,
9 and costs shall be recoverable by the utility pursuant to
10 subsection (c) of this Section.

11 (5) A PIP Plan participant shall no longer be eligible
12 for the PIP Plan if the participant fails to make an on
13 time payment in any given month.

14 (6) Subsequent to Commission approval, the gas utility
15 shall have the discretion to adjust the number of program
16 participants, the percentage of income formula, and the
17 amount of arrearages credits in order to add additional
18 programs or control annual expenditures under this
19 Section.

20 (c) A gas utility shall recover all of the costs it incurs
21 in offering programs approved by the Commission pursuant to
22 this Section, including all start-up and administrative costs,
23 provided that the costs do not exceed \$10 million annually. All
24 costs incurred under this Section shall be recovered from the
25 gas utility's retail customers through an automatic adjustment
26 clause tariff filed with and approved by the Commission.

1 (d) In the event a gas utility offering programs under this
2 Section elects to discontinue a program, it shall provide 60
3 days notice both (i) to program participants through a bill
4 insert and (ii) to the Commission through an informational
5 filing.

6 (220 ILCS 5/19-150 new)

7 Sec. 19-150. Automatic adjustment clause tariff;
8 uncollectibles; gas utilities. A gas utility that has filed a
9 request with the Commission for approval of a Percentage of
10 Income Payment Plan pursuant to Section 19-140 of this Act
11 shall be permitted to recover all of its uncollectibles through
12 an automatic adjustment clause tariff. The tariff shall be
13 established outside the context of a general rate case. A gas
14 utility may file a compliant tariff within 45 days after the
15 effective date of this amendatory Act of the 96th General
16 Assembly. The Commission shall conclude any investigation of
17 the tariff within 45 days after the date on which it is filed.
18 An approved tariff shall be applicable beginning with the
19 utility's next monthly billing period commencing at least 15
20 days after the date of approval. Thereafter, the Commission
21 shall annually initiate a review to reconcile any amounts
22 collected with actual uncollectibles in the prior annual period
23 and to determine any required adjustment to account for any
24 difference in those amounts. Nothing in this Section or the
25 implementing tariffs shall affect or alter the gas utility's

1 existing obligation to pursue collection of uncollectibles or
2 the gas utility's right to disconnect service."